

IN RE: PETITION FOR SPECIAL HEARING
Village Queen Drive and
Regalia Court
Queen Anne Village Apartments
3rd Election District
2nd Councilmanic District
DeChiaro Properties
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 96-238-SPH

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing for the property located adjacent to the intersection of Village Queen Drive and Regalia Court, known as the Queen Anne Village Apartments. Special Hearing relief is requested to approve the location of a dumpster enclosure in an area shown on the plat submitted to accompany the Petition for Special Hearing. The subject Petition is filed by DeChiaro Properties, the owners of the subject site.

Appearing at the requisite public hearing held for this case was Anthony J. Mierzwicki, on behalf of DeChiaro Properties. Also present was Thomas A. Church, the Professional Engineer who prepared the site plan. The Petitioner was represented by Michael E. Marino, Esquire. Steve Mosgin, a nearby property owner, and Pam Conti, on behalf of the Queen Anne Village Homeowners Association, appeared as Protestants.

This somewhat unusual case comes before the Zoning Commissioner relating to a property which has already been fully developed as the Queen Anne Village Apartments. These apartments were constructed in the 1970s and the apartment village contains 108 units. The subject site is approximately 9.23 acres in area, zoned D.R.16. The property is located within the triangle formed by Craddick Lane to the north, Reisterstown Road to the southeast and Greenspring Valley Road to the southwest.

ORDER RECEIVED FOR FILING

Date

By

MICROFILMED

Mr. Mierzwicki testified as Director of Property Management for the DeChiaro Properties organization. He has been in the business of managing apartments for many years. He indicated that the maintenance crew for the apartment complex previously utilized a dumpster which was located on an adjacent lot. However, that property was recently sold and the dumpster was re-located. The Petitioner has requested special hearing relief to approve the re-location of the dumpster on the northwest corner of the site as shown on the site plan.

As to trash collection, Mr. Mierzwicki testified that employees of the apartment complex collect trash from each apartment resident on a regular basis. These employees then transport the trash to the dumpster location where same is stored until collected by Baltimore County. He indicated that the County empties the dumpster two to three times per week.

Mr. Church also testified and described the site. He noted that the new dumpster location was chosen due to its ease of access. He indicated that concerns over safety were paramount in selecting the new location of the dumpster. Specifically, the new location allows trucks to access the dumpster without difficult turning movements and backing up. Moreover, Mr. Church indicated that there was a good sight distance in both directions from the new location. He also described the enclosure which was constructed around the dumpster. A 7 ft. high fence has been placed to shield the dumpster from view. Photographs of the dumpster location shows same to be well maintained.

Mr. Mosgin testified that he owns a townhouse in the adjacent community. However, he does not live there and rents same. He indicated that he received a call from his renter objecting to the new location of the dumpster. His renter apparently believes the dumpster is unsightly and diminishes his view. Mr. Mosgin did not claim that the dumpster was not

ORDER RECEIVED FOR FILING
Date 7/6/96
By Mr. Ford

adequately maintained or that odors emanated from the dumpster. In regards to these issues, both Messrs Church and Mierzwicki indicated that the dumpster doors were kept closed, the dumpster enclosure maintained on a regular basis, and deodorant bars placed inside the dumpster to minimize any odors.

This is a somewhat unusual case in that the Petitioner does not seek relief from any specific regulation. A review of the BCZR discloses no precise statute which requires any setback or other regulation relating to dumpster location. In fact, it appears that the Petitioner may not be subject to the jurisdiction of this Zoning Commissioner under the regulations. However, because of the community concerns, the Petitioner has filed the Petition and is attempting to be a good neighbor.

Upon review of the site plan, photographs submitted and the testimony offered, I am persuaded to grant the Petition for Special Hearing. The primary concerns must be safety and means of access. In this regard, Mr. Church's testimony was uncontradicted and persuasive. Moreover, I am persuaded that the Petitioner has made good faith efforts to screen the dumpster and prohibit same from presenting a detrimental effect on the surrounding community. In this regard, the only additional requirement which will be mandated by this Zoning Commissioner is for the installation of landscaping in a location between the dumpster and townhouses. I cannot order the implementation of this landscaping, per se, in that the dumpster is immediately adjacent to the property line and any plantings need be located on property owned by the homeowner's association and individual residents. However, if those property owners are agreeable, I will require the Petitioner to install appropriate landscaping to buffer the dumpster. Clearly, Mr. Church, based on his occupation and training, can offer recommendations as to the nature and number of landscaping planting units to be installed. If the offsite property owners and Peti-

ORDER RECEIVED FOR FILING

Date

7/6/96

By

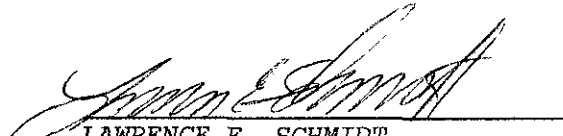
tioner cannot agree as to the landscape plan, this Zoning Commissioner can intervene to resolve that issue.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this ____ day of February, 1996 that, pursuant to the Petition for Special Hearing, approval to allow the location of a dumpster enclosure in an area shown on the plat submitted, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

1. The Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2. The Petitioner shall provide a landscape screen in a location between the dumpster and townhouses on property owned by the homeowner's association and individual residents, if agreeable to those property owners. If the offsite property owners and Petitioner cannot agree as to the landscape plan, the parties shall notify the Zoning Commissioner and the details of said plan shall be determined and ordered as a condition precedent to the granting of this special hearing. The approved landscape plan shall become a permanent part of the record and file in this matter.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmn

ORDER RECEIVED FOR FILING

Date

By

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

February 6, 1996

Michael E. Marino, Esquire
609 Bosley Avenue
Towson, Maryland 21204

RE: Case No. 96-238-SPH
Petition for Special Hearing
Property: Queen Anne Village Apartments
DeChiaro Properties, Petitioner

Dear Mr. Marino:

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Hearing has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Appeals Clerk at 887-3353.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt".

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmn
encl.

c: Thomas A. Church, 6603 York Road, Balto. Md. 21212
Mr. Anthony J. Mierzwicki, 920 Providence Rd., Suite 400, 21286
Ms. Pam Conti, 105 W. Chesapeake Avenue, Towson, Md. 21204
Mr. Steve Mosgin, 9311 Countess Drive, Balto.Md.

MICROFILMED



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at

VILLAGE QUEEN DRIVE & REGALIA COURT

which is presently zoned DR-16

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

THE LOCATION OF A DUMPSTER ENCLOSURE IN AREA SHOWN ON THE ACCOMPANYING PLAT.

and owned the last FDP for
the site JES (in letter of
4/23/96)

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

N/A

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

MICHAEL E. MARINO, ESQUIRE

(Type or Print Name)

Signature

LEVY & MARINO

609 BOSLEY AVENUE

821-6633

Address

Phone No.

TOWSON,

MD

21204

City

State

Zipcode

Legal Owner(s):

DECHIARO PROPERTIES

(Type or Print Name)

Signature

(Type or Print Name)

Signature

920 PROVIDENCE ROAD

SUITE 400

(410) 823-0637

Address

Phone No

BALTIMORE,

MD

21286

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

THOMAS A. CHURCH

DEVELOPMENT ENGINEERING CONSULTANTS, INC.

Name

6603 YORK RD., BALTO., MD 21212 410-377-2600

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates Next Two Months

ALL OTHER

REVIEWED BY: DATE

DROP - OFF
NO REVIEW
12/7/95
KER



MICROFILMED

DEVELOPMENT ENGINEERING CONSULTANTS, INC.

Site Engineers & Surveyors

6603 York Road
Baltimore, Maryland 21212
(410) 377-2600
(410) 377-2625 Fax**DESCRIPTION**

7.905 ACRES, THE SOUTHERLY PORTION OF THE 5TH AMENDED PLAT OF QUEEN ANNE VILLAGE ADDITION, THIRD ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND.

Beginning for the same at a point, being Point #12 as shown on the 5th Amended Plat of Queen Anne Village Addition as recorded among the Land Records of Baltimore County in Plat Book 52, Folio 113; thence South 27 degrees 07 minutes 00 seconds East - 100.00 feet; thence, South 34 degrees 11 minutes 00 seconds East - 100.00 feet; thence, South 30 degrees 57 minutes 00 seconds East - 80.00 feet; thence, South 17 degrees 48 minutes 00 seconds East - 100.00 feet; thence, South 10 degrees 23 minutes 20 seconds East - 99.91 feet; thence, South 05 degrees 48 minutes 10 seconds East - 14.03 feet; thence, South 89 degrees 59 minutes 40 seconds West - 600.00 feet; thence, North 43 degrees 25 minutes 30 seconds West - 264.65 feet; thence, South 45 degrees 40 minutes 17 seconds West - 9.07 feet; thence, North 43 degrees 08 minutes 05 seconds West - 210.52 feet; thence, North 46 degrees 34 minutes 30 seconds East - 8.00 feet; thence, North 43 degrees 25 minutes 30 seconds West - 53.92 feet; thence, North 00 degrees 03 minutes 10 seconds West - 96.25 feet to a point, being #1593 as shown on the 6th Amended Plat of Queen Anne Village Addition as recorded among the Land Records of Baltimore County in Plat Book S.M. 65, Folio 112; thence, South 89 degrees 46 minutes 15 seconds East - 39.99 feet to the beginning

of a curve nontangent to said line; thence northerly and north-easterly with a curve to the Right having a radius of 83.00 feet and an arc length of 92.33 feet, said arc being subtended by a chord bearing North 31 degrees 59 minutes 59 seconds East - 87.64 feet; thence, North 78 degrees 26 minutes 30 seconds East - 178.46 feet; thence, South 56 degrees 47 minutes 30 seconds East - 62.63 feet to a point at the end of the North 19 degrees 27 minutes 44 seconds West 231.55 feet line as shown on the Resubdivision of Portion of 5th Amended Plat of Queen Anne Village Addition as recorded among the Land Records of Baltimore County in Plat Book S.M. 58, Folio 13; thence South 19 degrees 27 minutes 44 seconds East - 231.55 feet; thence, South 78 degrees 05 minutes 18 seconds East - 49.22 feet; thence, North 11 degrees 40 minutes 19 seconds East - 64.81 feet; thence, South 78 degrees 12 minutes 29 seconds East - 34.74 feet; thence, South 75 degrees 11 minutes 13 seconds East - 41.19 feet; thence, North 12 degrees 53 minutes 34 seconds East - 20.62 feet; thence, South 77 degrees 06 minutes 26 seconds East - 59.46 feet; thence, North 68 degrees 54 minutes 02 seconds East - 56.11 feet; thence, North 10 degrees 01 minutes 25 seconds East - 54.24 feet; thence, South 79 degrees 43 minutes 30 seconds East - 31.70 feet to the beginning of a curve tangent to said line; thence easterly with a curve to the Left having a radius of 126.00 feet and an arc length of 56.39 feet, said arc being subtended by a chord bearing North 87 degrees 27 minutes 18 seconds East - 55.92 feet; thence, South 64 degrees 48 minutes 30 seconds East - 14.68 feet; thence, North 80 degrees 20 minutes 59 seconds East - 20.45 feet to the Point of Beginning.

Containing 344,321 square feet or 7.905 acres of land, more or less.

92-151

11-16-95



BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

NW

013409

ITEM #237

drop-off — no review

DATE 12/7/95 ACCOUNT 001-6150

AMOUNT \$ ~~40x~~ 250.00 (WCR)

RECEIVED FROM: Development Engineering Consultants, Inc.

FOR: #040 - SPECIAL HEARING

Queen Anne Village Apts.
9.23 +/- acres gross

D.R. -16, & D.R. -2

3c2

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

MICROFILMED

CERTIFICATE OF PUBLICATION

TOWSON, MD., 12/22, 1995

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 12/21, 1995.

THE JEFFERSONIAN,
A. H. Emberton
LEGAL AD. - TOWSON

Publisher

1995 DEC 22

NOTICE OF HEARING
The zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland, at 2:00 p.m. on Tuesday, January 9, 1996 at 2:00 p.m. in Rm. 118, Old Courthouse.
Agencies: Village Queen Drive and Regatta Court, 3rd Election District, 2nd Councilmanic Legal Owners: Denton Properties
Special Hearing to approve the location of a dumpster enclosure area.
Hearing: Tuesday, January 9, 1996 at 2:00 p.m. in Rm. 118, Old Courthouse.
LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are Handicapped Accessible, for special accommodations. Please Call 867-3353.
(2) For information concerning the file and/or Hearing, Please Call 867-3391.
12/14/95 Dec. 21. C23445



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

January 2, 1996

Michael E. Marino, Esquire
Levy and Marino
609 Bosley Avenue
Towson, Maryland 21204

RE: Item No.: 237
Case No.: 96-238-SPH
Petitioner: Dechiaro Properties

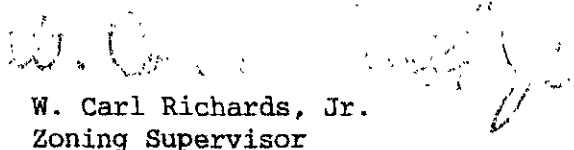
Dear Mr. Marino:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on December 7, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,


W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

MICROFILMED



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: December 28, 1995

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 233, 237 and 238

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

Jeffrey W. Long

Division Chief:

Pat Keller

PK/JL

MICROFILMED

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 12/22/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF DEC. 18, 1995.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 232, 233, 234, 235, 236,
237, 238, 239, 240, 241 AND 242.

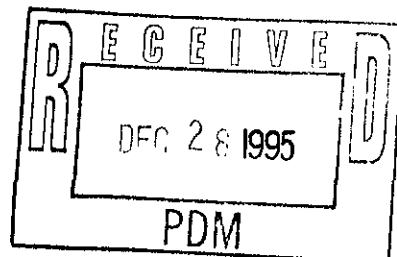
REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



Printed with Soybean Ink
on Recycled Paper

MICROFILMED



BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: Dec. 26, 1995
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief
Development Plans Review Division

RE: Zoning Advisory Committee Meeting
for December 26, 1995
Item 237

The Development Plans Review Division has reviewed the subject zoning item. We recommend buffering and fencing of the dumpster area.

RWB:sw



**Maryland Department of Transportation
State Highway Administration**

David L. Winstead
Secretary
Hal Kassoff
Administrator

12-18-95

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 237 (WCR)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

MICROFILMED

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

April 23, 1996

Michael E. Marino. Esquire
609 Bosley Avenue
Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING
NE/S Village Queen Drive, W of Cradock Lane
(Queen Anne Village Apartments)
3rd Election District - 2nd Councilmanic District
DeChiaro Properties - Petitioners
Case No. 96-238-SPH

Dear Mr. Marino:

This Office has been advised by Mitch Kellman of the Department of Permits and Development Management that the Petition for Special Hearing filed in the above-captioned matter was incomplete. Specifically, he noted that in addition to the relief requested to approve the re-location of the dumpster enclosure area, the Petition should have also requested an amendment to the Final Development Plan for Queen Anne Village Apartments to reflect this modification, accordingly.

As you know, an Order was issued in this matter on February 6, 1996. In my judgment, the subject amendment is minor in nature and does not warrant a modification to the Order. Thus, this letter shall serve as evidence that the Final Development Plan is considered to be amended and a copy will be placed in the case file for further documentation.

Should you have any questions on the subject, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt", is written over the typed name.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mitch Kellman - PDM/Case File





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

December 19, 1995

Michael E. Marino, Esquire
Levy & Marino
609 Bosley Avenue
Towson, MD 21204

RE: Preliminary Petition Review (Item #237)
Legal Owner: Dechiaro Properties
Queen Anne Village Apartments
3rd Election District

Dear Mr. Marino:

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. The plan was accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed unaddressed zoning issues and/or incomplete information. The following comments are advisory and do not necessarily identify all details and inherent technical zoning requirements necessary for a complete application. As with all petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the \$100.00 revision fee.

1. The petition form should include the owner's printed (or typed) name and position for Dechiaro Properties.
2. The request should include "and amend the last approved final development plan (FDP) of Queen Anne Village, Section __, Plat __.

If you need further information or have any questions, please do not hesitate to contact me at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "M. Kellman".

Mitchell J. Kellman
Planner II
Zoning Review

c: Zoning Commissioner

RE: PETITION FOR SPECIAL HEARING
Village Queen Drive and Regalia Court
(Queen Anne Village Apartments)
3rd Election District - 2nd Councilmanic

Dechiaro Properties
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 96-238-SPH

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 4th day of January, 1996, a copy of the foregoing Entry of Appearance was mailed to Michael E. Marino, Esquire, Levy & Marino, 609 Bosley Avenue, Towson, MD 21204, attorney for Petitioner.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

MICROFILMED

12/5/95
DEVELOPMENT ENGINEERING CONSULTANTS, INC. JV DK

5720-95
237

Site Engineers & Surveyors

6603 York Road
Baltimore, Maryland 21212
(410) 377-2600
(410) 377-2625 Fax

Date: December 5, 1995

To: Baltimore County
Dept. of Permits &
Development Management
111 West Chesapeake Ave.
Towson, MD 21204
Attention: Mr. Arnold Jablon

Subject: Queen Anne Village Dumpster
Our Contract: 95-143

12/7/95 DROP-OFF
No REVIEW

Gentlemen:

- ☐ We are submitting
☒ We are forwarding
☐ We are returning
☐ We request

☒ Herewith

☐ Under separate cover

per wer { MSK - Previous Review
Violation

No.	Description
3	Petition for Special Hearing forms
1	1=200' Scale Zoning Map
3	Deed Descriptions
12	Prints of the Plat to Accompany Special Hearing
1	Check in the amount of \$250.00 for processing fees

Remarks:

- ☐ In accordance with your request
☒ For your review
☐ For processing
☐ Plans reviewed and accepted
☐ Plans reviewed and accepted as noted
☐ For revision by you.

- ☐ For your use
☐ Please call when ready
☐ Please return to this office
☐ Approval requested
☐ Conference requested at
your convenience

For further information, please contact the writer at this office.

Very truly yours,

Thomas A. Church, Jr.

Thomas A. Church
President

Enclosures

MICROFILMED

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

MICHAEL E. MARINO
ATTORNEY FOR PETITIONER

609 BOSLEY AVENUE
TOWSON, MD. 21204

THOMAS A CHURCH

6603 YORK ROAD
BALTO MD 21212

ANTHONY J. MIERZWIKI
DECHANE PROPERTIES

920 PROVIDENCE RD
SUITE 400
BALTO. MD 21286



PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

ADDRESS

Steve Mosgin (Mosgin)
Pam Conti (Conti)

9311 Cantow Dr.
105 W Chesapeake Towson Md



MICROFILMED

NORTH

SUBJECT SITE

ZOKING MAP

1" = 200'
MAP # NW 19 G

ROYALTY CIR
TRENTHAM
OUTBUILDINGS
VILLAGE

DR.2

५२

PRO

REGR
CT. RENTHAN

HARRY

NOBILITY C7

ROAD

FILE

LANE

PICKERSGILL

POINT OF BEGINNING

CONCLUSION

UNDER

ARE

STRAND CT

WIMBLEDON

~~COUNTRIES~~

~~PALACE~~
~~L.A.~~

TAYLER PL

HARDING

~~KA~~

~~LA~~

WIMBLEDON

ENGL 101

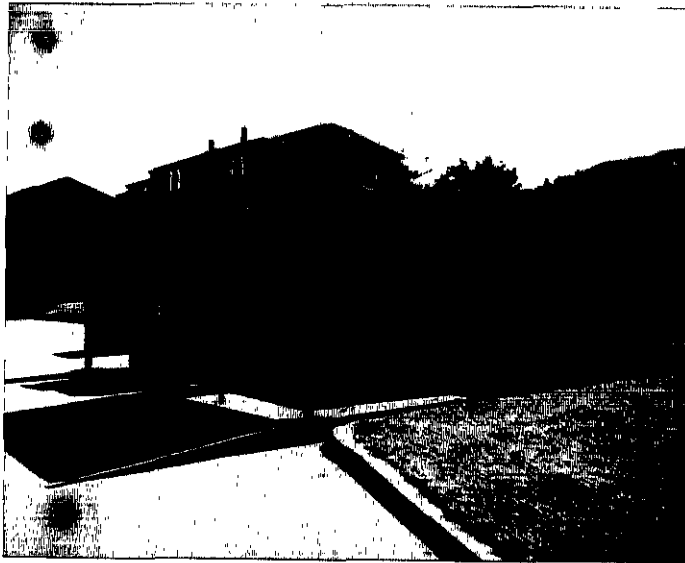
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QUEEN
DR.

CRABOCK

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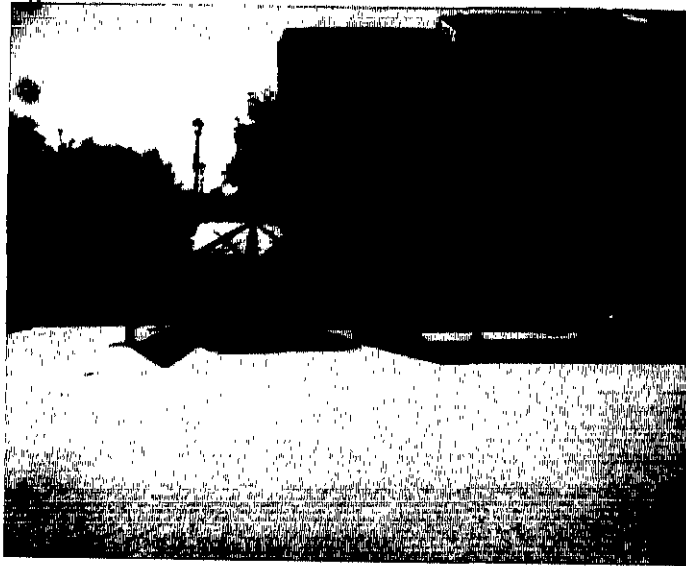
let 2 E QUEEN ANNE VILLAGE
APARTMENTS
DUMPSTER
10-17-95

#2



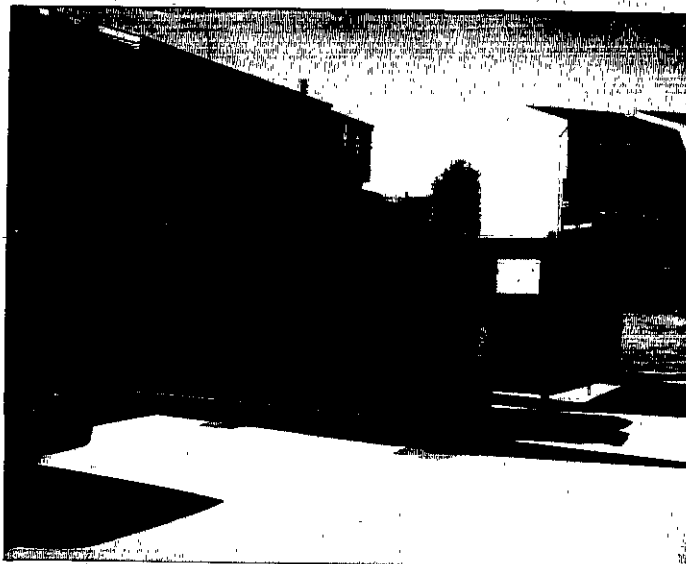
let 2 D QUEEN ANNE VILLAGE
APARTMENTS
DUMPSTER
10-17-95

2



Ref No 2A QUEEN ANNE VILLAGE
APARTMENTS
DUMPSTER
10-17-95

4



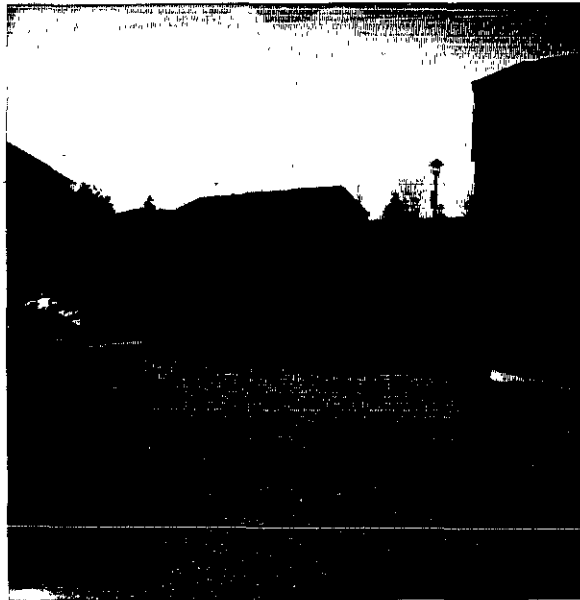
Ref 2B QUEEN ANNE VILLAGE
APARTMENTS
DUMPSTER
10-17-95

#5



Red 2c

QUEEN ANNE VILLAGE
APARTMENTS
DUMPSTER
10-17-95



9:15 AM - THURSDAY, FEB. 1, 1996
Skus Close Red 2F



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

December 15, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-238-SPH (Item 237)
"Queen Anne Village Apartments"
Village Queen Drive and Regalia Court
3rd Election District - 2nd Councilmanic
Legal Owner: Dechiaro Properties

Special Hearing to approve the location of a dumpster enclosure area.

HEARING: TUESDAY, JANUARY 9, 1996 at 2:00 p.m. in Room 118, Old Courthouse.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director

cc: Dechiaro Properties
Thomas A. Church
Michael E. Marino, Esq.

- NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Baltimore County
Department of Permits and
Development Management

Permits and Licenses
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3900
Fax: (410) 887-2824

January 19, 1996

NOTICE OF REASSIGNMENT

CASE NUMBER: 96-238-SPH (Item 237)
Queen Anne Village Apartments
Village Queen Drive and Regalia Court
3rd Election District - 2nd Councilmanic
Legal Owner: Dechiaro Properties

Special Hearing to approve the location of a dumpster enclosure area.

(HEARING: THURSDAY, FEBRUARY 1, 1996 at 2:00 p.m. in Room 118, Old
Courthouse.

A handwritten signature in cursive script, reading "Arnold Jablon".

ARNOLD JABLON
DIRECTOR

cc: Dechiaro Properties
Thomas A. Church
Michael E. Marino, Esq.
Steve Mosgin

PLEASE NOTE, DUE TO THE AMOUNT OF SNOW NOW ON THE GROUND, THIS OFFICE
IS UNSURE AS TO THE FEASIBILITY OF REPOSTING THE PROPERTY. WE THEREFORE
ASK THAT THE PETITIONER USE A BLACK MARKER TO WRITE THE NEW HEARING
DATE ON THE SIGN. THANK YOU.



IN RE: PETITION FOR SPECIAL HEARING
Village Queen Drive and
Regalia Court
Queen Anne Village Apartments
3rd Election District
2nd Councilmanic District
DeChiario Properties
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 96-238-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing for the property located adjacent to the intersection of Village Queen Drive and Regalia Court, known as the Queen Anne Village Apartments. Special Hearing relief is requested to approve the location of a dumpster enclosure in an area shown on the plat submitted to accompany the Petition for Special Hearing. The subject Petition is filed by DeChiario Properties, the owners of the subject site.

Appearing at the requisite public hearing held for this case was Anthony J. Mierzwicki, on behalf of DeChiario Properties. Also present was Thomas A. Church, the Professional Engineer who prepared the site plan. The Petitioner was represented by Michael E. Marino, Esquire. Steve Mosgin, a nearby property owner, and Pam Conti, on behalf of the Queen Anne Village Homeowners Association, appeared as Protestants.

This somewhat unusual case comes before the Zoning Commissioner relating to a property which has already been fully developed as the Queen Anne Village Apartments. These apartments were constructed in the 1970s and the apartment village contains 108 units. The subject site is approximately 9.23 acres in area, zoned D.R.16. The property is located within the triangle formed by Craddock Lane to the north, Reisterstown Road to the southeast and Greenspring Valley Road to the southwest.

Mr. Mierzwicki testified as Director of Property Management for the DeChiario Properties organization. He has been in the business of managing apartments for many years. He indicated that the maintenance crew for the apartment complex previously utilized a dumpster which was located on an adjacent lot. However, that property was recently sold and the dumpster was re-located. The Petitioner has requested special hearing relief to approve the re-location of the dumpster on the northwest corner of the site as shown on the site plan.

As to trash collection, Mr. Mierzwicki testified that employees of the apartment complex collect trash from each apartment resident on a regular basis. These employees then transport the trash to the dumpster location where same is stored until collected by Baltimore County. He indicated that the County empties the dumpster two to three times per week.

Mr. Church also testified and described the site. He noted that the new dumpster location was chosen due to its ease of access. He indicated that concerns over safety were paramount in selecting the new location of the dumpster. Specifically, the new location allows trucks to access the dumpster without difficult turning movements and backing up. Moreover, Mr. Church indicated that there was a good sight distance in both directions from the new location. He also described the enclosure which was constructed around the dumpster. A 7 ft. high fence has been placed to shield the dumpster from view. Photographs of the dumpster location shows same to be well maintained.

Mr. Mosgin testified that he owns a townhouse in the adjacent community. However, he does not live there and rents same. He indicated that he received a call from his renter objecting to the new location of the dumpster. His renter apparently believes the dumpster is unsightly and diminishes his view. Mr. Mosgin did not claim that the dumpster was not

adequately maintained or that odors emanated from the dumpster. In regards to these issues, both Messrs Church and Mierzwicki indicated that the dumpster doors were kept closed, the dumpster enclosure maintained on a regular basis, and deodorant bars placed inside the dumpster to minimize any odors.

This is a somewhat unusual case in that the Petitioner does not seek relief from any specific regulation. A review of the BCZR discloses no precise statute which requires any setback or other regulation relating to dumpster location. In fact, it appears that the Petitioner may not be subject to the jurisdiction of this Zoning Commissioner under the regulations. However, because of the community concerns, the Petitioner has filed the Petition and is attempting to be a good neighbor.

Upon review of the site plan, photographs submitted and the testimony offered, I am persuaded to grant the Petition for Special Hearing. The primary concerns must be safety and means of access. In this regard, Mr. Church's testimony was uncontradicted and persuasive. Moreover, I am persuaded that the Petitioner has made good faith efforts to screen the dumpster and prohibit same from presenting a detrimental effect on the surrounding community. In this regard, the only additional requirement which will be mandated by this Zoning Commissioner is for the installation of landscaping in a location between the dumpster and townhouses. I cannot order the implementation of this landscaping, per se, in that the dumpster is immediately adjacent to the property line and any plantings need be located on property owned by the homeowner's association and individual residents. However, if those property owners are agreeable, I will require the Petitioner to install appropriate landscaping to buffer the dumpster. Clearly, Mr. Church, based on his occupation and training, can offer recommendations as to the nature and number of landscaping planting units to be installed. If the offsite property owners and Peti-

tioner cannot agree as to the landscape plan, this Zoning Commissioner can intervene to resolve that issue.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this ____ day of February, 1996 that, pursuant to the Petition for Special Hearing, approval to allow the location of a dumpster enclosure in an area shown on the plat submitted, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

1. The Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. The Petitioner shall provide a landscape screen in a location between the dumpster and townhouses on property owned by the homeowner's association and individual residents, if agreeable to those property owners. If the offsite property owners and Petitioner cannot agree as to the landscape plan, the parties shall notify the Zoning Commissioner and the details of said plan shall be determined and ordered as a condition precedent to the granting of this special hearing. The approved landscape plan shall become a permanent part of the record and file in this matter.

Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmm

ORDER RECEIVED FOR FILING
Date Feb 6 1996
By M. Marino

ORDER RECEIVED FOR FILING
Date Feb 6 1996
By M. Marino

ORDER RECEIVED FOR FILING
Date Feb 6 1996
By M. Marino

ORDER RECEIVED FOR FILING
Date Feb 6 1996
By M. Marino

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

February 6, 1996

Michael E. Marino, Esquire
609 Bosley Avenue
Towson, Maryland 21204

RE: Case No. 96-238-SPH
Petition for Special Hearing
Property: Queen Anne Village Apartments
DeChiario Properties, Petitioner

Dear Mr. Marino:

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Hearing has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Appeals Clerk at 887-1353.

Very truly yours,
Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmm
encl.
cc: Thomas A. Church, 6603 York Road, Balto. Md. 21212
Mr. Anthony J. Mierzwicki, 920 Providence Rd., Suite 400, 21286
Ms. Pam Conti, 105 W. Chesapeake Avenue, Towson, Md. 21204
Mr. Steve Mosgin, 9311 Countess Drive, Balto. Md.



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at VILLAGE QUEEN DRIVE & REGALIA COURT

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and "plat" attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

THE LOCATION OF A DUMPSTER ENCLOSURE IN AREA SHOWN ON THE ACCOMPANYING PLAT.

and owned the last F.D.P. for the site JES (in letter of 4/13/96)

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

We do solemnly declare and affirm, under the penalties of perjury, that we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):
DECHIARIO PROPERTIES
(Type or Print Name)
DeChiario
Signature
(Type or Print Name)

Address
City State Zip

City State Zip

City State Zip

City State Zip

City State Zip

City State Zip

City State Zip

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City State Zip

City State Zip

City State Zip

City State Zip

DEVELOPMENT ENGINEERING CONSULTANTS, INC.

Site Engineers & Surveyors

6603 York Road
Baltimore, Maryland 21212
(410) 377-2600
(410) 377-2625 Fax

DESCRIPTION

7.905 ACRES, THE SOUTHERLY PORTION OF THE 5TH AMENDED PLAT OF QUEEN ANNE VILLAGE ADDITION, THIRD ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND.

Beginning for the same at a point, being Point #12 as shown on the 5th Amended Plat of Queen Anne Village Addition as recorded among the Land Records of Baltimore County in Plat Book 52, Folio 113; thence South 27 degrees 07 minutes 00 seconds East - 100.00 feet; thence, South 34 degrees 11 minutes 00 seconds East - 100.00 feet; thence, South 30 degrees 57 minutes 00 seconds East - 80.00 feet; thence, South 17 degrees 48 minutes 00 seconds East - 100.00 feet; thence, South 10 degrees 23 minutes 20 seconds East - 99.91 feet; thence, South 05 degrees 48 minutes 10 seconds East - 14.03 feet; thence, South 89 degrees 59 minutes 40 seconds East - 600.00 feet; thence, North 43 degrees 25 minutes 30 seconds West - 264.65 feet; thence, South 45 degrees 40 minutes 17 seconds West - 9.07 feet; thence, North 43 degrees 08 minutes 05 seconds West - 210.52 feet; thence, North 46 degrees 34 minutes 30 seconds East - 8.00 feet; thence, North 43 degrees 25 minutes 30 seconds West - 53.92 feet; thence, North 00 degrees 03 minutes 10 seconds West - 96.25 feet to a point, being #1593 as shown on the 6th Amended Plat of Queen Anne Village Addition as recorded among the Land Records of Baltimore County in Plat Book S.M. 65, Folio 112; thence, South 89 degrees 46 minutes 15 seconds East - 39.99 feet to the beginning

of a curve nontangent to said line; thence northerly and northeasterly with a curve to the Right having a radius of 83.00 feet and an arc length of 92.33 feet, said arc being subtended by a chord bearing North 31 degrees 59 minutes 59 seconds East - 87.64 feet; thence, North 78 degrees 26 30 seconds East - 178.46 feet; thence, South 56 degrees 47 minutes 30 seconds East - 62.63 feet to a point at the end of the North 19 degrees 27 minutes 44 seconds West 231.55 feet line as shown on the Resubdivision of Portion of 5th Amended Plat of Queen Anne Village Addition as recorded among the Land Records of Baltimore County in Plat Book S.M. 58, Folio 13; thence South 19 degrees 27 minutes 44 seconds East - 231.55 feet; thence, South 78 degrees 05 minutes 18 seconds East - 49.22 feet; thence, North 11 degrees 40 minutes 19 seconds East - 64.81 feet; thence, South 78 degrees 12 minutes 29 seconds East - 34.74 feet; thence, South 75 degrees 11 minutes 13 seconds East - 41.19 feet; thence, North 12 degrees 53 minutes 34 seconds East - 20.62 feet; thence, South 77 degrees 06 minutes 26 seconds East - 59.46 feet; thence, North 68 degrees 54 minutes 02 seconds East - 56.11 feet; thence, North 10 degrees 01 minutes 25 seconds East - 54.24 feet; thence, South 79 degrees 43 minutes 30 seconds East - 31.70 feet to the beginning of a curve tangent to said line; thence easterly with a curve to the Left having a radius of 126.00 feet and an arc length of 56.39 feet, said arc being subtended by a chord bearing North 87 degrees 27 minutes 18 seconds East - 55.92 feet; thence, South 64 degrees 48 minutes 30 seconds East - 14.68 feet; thence, North 80 degrees 20 minutes 59 seconds East - 20.45 feet to the Point of Beginning.

Containing 344,321 square feet or 7.905 acres of land, more or less.

92-151
11-16-95



NOTICE OF HEARING
The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the proposed rezoning of the property identified herein at Room 106 of the County Office Building, 111 West Chesapeake Avenue, Towson, Maryland 21204, on the following date and time:
Case #96-238-SPH (Item 237)
Open House Village
County Office Building
Village Queen Drive and Regalia Court
3rd Election District
Legal Owner: Dechiaro Properties
Special Hearing to approve the location of a dumpster enclosure area.
Hearing: Thursday, January 9, 1996 at 2:00 p.m. in Room 118, Old Courthouse.
LAWRENCE E. SPANTRY
Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are held on a regular basis. For more information, please call 887-3353.
12/14/95 Dec 21 02:45

CERTIFICATE OF PUBLICATION

TOWSON, MD., 12/22, 1995
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 12/21, 1995.

THE JEFFERSONIAN
A. HENRIKSON
LEGAL AD. - TOWSON
Publisher



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

December 15, 1995

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 West Chesapeake Avenue in Towson, Maryland 21204 or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-238-SPH (Item 237)
"Queen Anne Village Apartments"
Village Queen Drive and Regalia Court
3rd Election District - 2nd Councilmanic
Legal Owner: Dechiaro Properties

Special Hearing to approve the location of a dumpster enclosure area.

HEARING: THURSDAY, JANUARY 9, 1996 at 2:00 p.m. in Room 118, Old Courthouse.

Carl Jablon

Arnold Jablon
Director

cc: Dechiaro Properties
Thomas A. Church
Michael E. Marino, Esq.
Steve Mosgin

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Baltimore County
Department of Permits and
Development Management

Permits and Licenses
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3900
Fax: (410) 887-2824

January 19, 1996

NOTICE OF REASSIGNMENT

CASE NUMBER: 96-238-SPH (Item 237)
Queen Anne Village Apartments
Village Queen Drive and Regalia Court
3rd Election District - 2nd Councilmanic
Legal Owner: Dechiaro Properties

Special Hearing to approve the location of a dumpster enclosure area.

(HEARING: THURSDAY, FEBRUARY 1, 1996 at 2:00 p.m. in Room 118, Old Courthouse.

Carl Jablon

ARNOLD JABLON
DIRECTOR

cc: Dechiaro Properties
Thomas A. Church
Michael E. Marino, Esq.
Steve Mosgin

PLEASE NOTE, DUE TO THE AMOUNT OF SNOW NOW ON THE GROUND, THIS OFFICE IS UNSURE AS TO THE FEASIBILITY OF REPOSTING THE PROPERTY. WE THEREFORE ASK THAT THE PETITIONER USE A BLACK MARKER TO WRITE THE NEW HEARING DATE ON THE SIGN. THANK YOU.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE 12/7/95 ACCOUNT 001-6150
ITEM #237
drop-off no review
AMOUNT \$ 250.00 (WCR)
RECEIVED FROM Development Engineering Consultants, Inc.
FOR #040 - SPECIAL HEARING
Queen Anne Village Apt. Bldg. D.S. 238-SPH - 2
9.23 +/- acres 3.62
RD 0001350N12-11-95
VALIDATION OR SIGNATURE OF CASHIER
WCR: JAB/JS PPK: AGENCY YELLOW: CUSTOMER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE 12/7/95 ACCOUNT 001-6150
ITEM #237
AMOUNT \$ 35.00 (WCR)
RECEIVED FROM Development Engineering Consultants, Inc.
FOR #080 - SIGN POSTING
Queen Anne Village Sph D.S. 238-SPH - 2
02/21/96 3:41 PM F30.00
RD 0001350N12-11-95
VALIDATION OR SIGNATURE OF CASHIER
WCR: JAB/JS PPK: AGENCY YELLOW: CUSTOMER



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

January 2, 1996

Michael E. Marino, Esquire
Levy and Marino
609 Bosley Avenue
Towson, Maryland 21204

RE: Item No.: 237
Case No.: 96-238-SPH
Petitioner: Dechiaro Properties

Dear Mr. Marino:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on December 7, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commission, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the planning agency or Joyce Watson in the zoning office (887-3353).

Sincerely,

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: December 28, 1995

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 233, 237 and 238

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: *Jeffrey W. Long*

Division Chief: *Pat Keller*

PK/JL

ITEM 233/237/238

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 12/28/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF DEC. 18, 1995.

Item No.: SEE BELOW

Zoning Agenda:

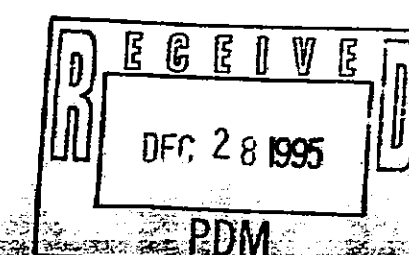
Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 232, 233, 234, 235, 236, 237, 238, 239, 240, 241 AND 242.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1105F

cc: File



BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: Dec. 26, 1995
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief
Development Plans Review Division

RE: Zoning Advisory Committee Meeting
for December 26, 1995
Item 237

The Development Plans Review Division has reviewed the subject zoning item. We recommend buffering and fencing of the dumpster area.

RWB:sw



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 837 (WCR)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
for Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2256 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

April 23, 1996

Michael E. Marino, Esquire
609 Bosley Avenue
Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING
NE/S Village Queen Drive, W of Craddock Lane
(Queen Anne Village Apartments)
3rd Election District - 2nd Councilmanic District
DeChiaro Properties - Petitioners
Case No. 96-238-SPH

Dear Mr. Marino:

This office has been advised by Mitch Kellman of the Department of Permits and Development Management that the Petition for Special Hearing filed in the above-captioned matter was incomplete. Specifically, he noted that in addition to the relief requested to approve the re-location of the dumpster enclosure area, the Petition should have also requested an amendment to the Final Development Plan for Queen Anne Village Apartments to reflect this modification, accordingly.

As you know, an Order was issued in this matter on February 6, 1996. In my judgment, the subject amendment is minor in nature and does not warrant a modification to the Order. Thus, this letter shall serve as evidence that the Final Development Plan is considered to be amended and a copy will be placed in the case file for further documentation.

Should you have any questions on the subject, please do not hesitate to contact me.

Very truly yours,

Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mitch Kellman - PDM/Case File



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

December 19, 1995

Michael E. Marino, Esquire
Levy & Marino
609 Bosley Avenue
Towson, MD 21204

RE: Preliminary Petition Review (Item #237)
Legal Owner: DeChiaro Properties
Queen Anne Village Apartments
3rd Election District

Dear Mr. Marino:

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. The plan was accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed unaddressed zoning issues and/or incomplete information. The following comments are advisory and do not necessarily identify all details and inherent technical zoning requirements necessary for a complete application. As with all petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the \$100.00 revision fee.

- The petition form should include the owner's printed (or typed) name and position for DeChiaro Properties.
- The request should include "and amend the last approved final development plan (FDP) of Queen Anne Village, Section __, Plat __."

If you need further information or have any questions, please do not hesitate to contact me at 887-3391.

Very truly yours,

Mitchell J. Kellman
Mitchell J. Kellman
Planner II
Zoning Review

c: Zoning Commissioner

Printed with Soybean Ink
on Recycled Paper

RE: PETITION FOR SPECIAL HEARING
Village Queen Drive and Regalia Court
(Queen Anne Village Apartments)
3rd Election District - 2nd Councilmanic District
DeChiaro Properties
Petitioner

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE NO. 96-238-SPH

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Dentito
CAROLE S. DENTITO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 14th day of January, 1996, a copy of the foregoing Entry of Appearance was mailed to Michael E. Marino, Esquire, Levy & Marino, 609 Bosley Avenue, Towson, MD 21204, attorney for Petitioner.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

DEVELOPMENT ENGINEERING CONSULTANTS, INC.

Site Engineers & Surveyors

6603 York Road
Baltimore, Maryland 21212
(410) 377-2600
(410) 377-2625 Fax

Date: December 5, 1995

To: Baltimore County
Dept. of Permits &
Development Management
111 West Chesapeake Ave.
Towson, MD 21204

Attention: Mr. Arnold Jablon

Subject: Queen Anne Village Dumpster
Our Contract: 95-143

Gentlemen:

- ☐ We are submitting
☒ We are forwarding
☐ We are returning
☐ We request

☒ Herewith

☐ Under separate cover

per WCR *per WCR* *per WCR*
per WCR - Previous Review
Violation

No.	Description
3	Petition for Special Hearing forms
1	1-200' Scale Zoning Map
3	Deed Descriptions
12	Prints of the Plat to Accompany Special Hearing
1	Check in the amount of \$250.00 for processing fees

Remarks:

- ☒ In accordance with your request
☒ For your review
☐ For processing
☐ Plans reviewed and accepted
☐ Plans reviewed and accepted as noted
☐ For revision by you.
- ☐ For your use
☐ Please call when ready
☐ Please return to this office
☐ Approval requested
☐ Conference requested at your convenience

For further information, please contact the writer at this office.

Very truly yours,

Thomas A. Church

Thomas A. Church
President

Enclosures

PLEASE PRINT CLEARLY

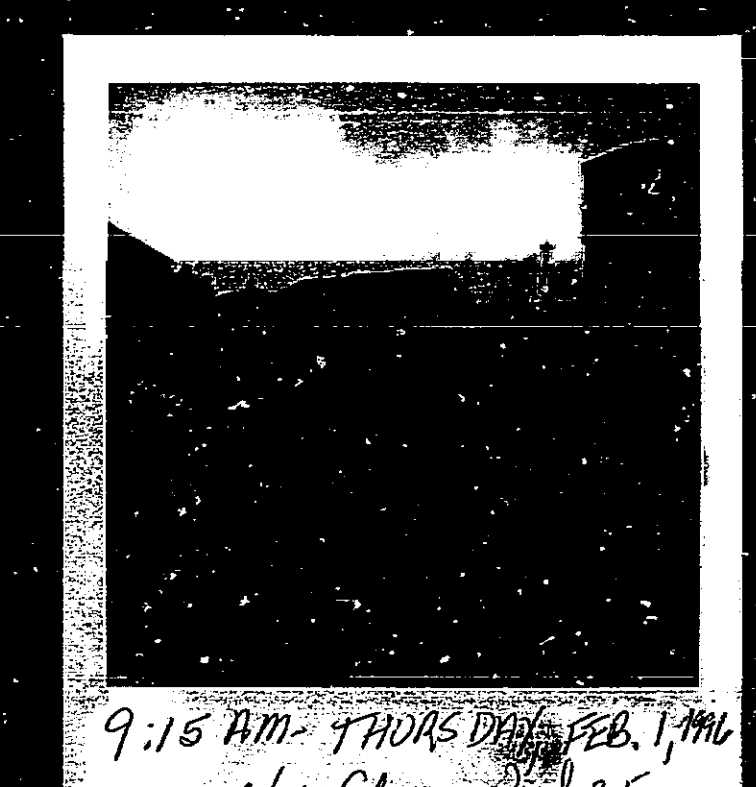
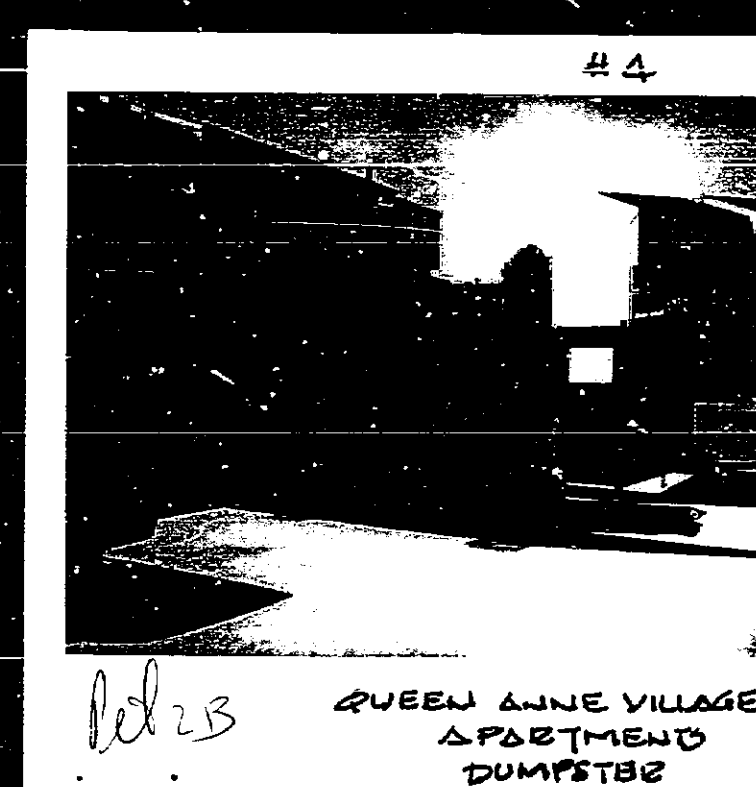
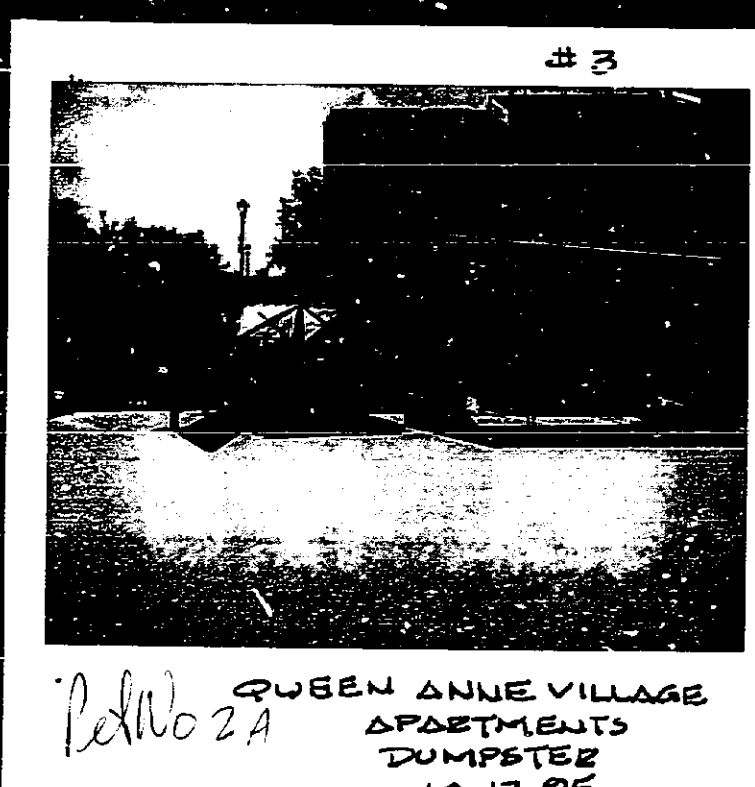
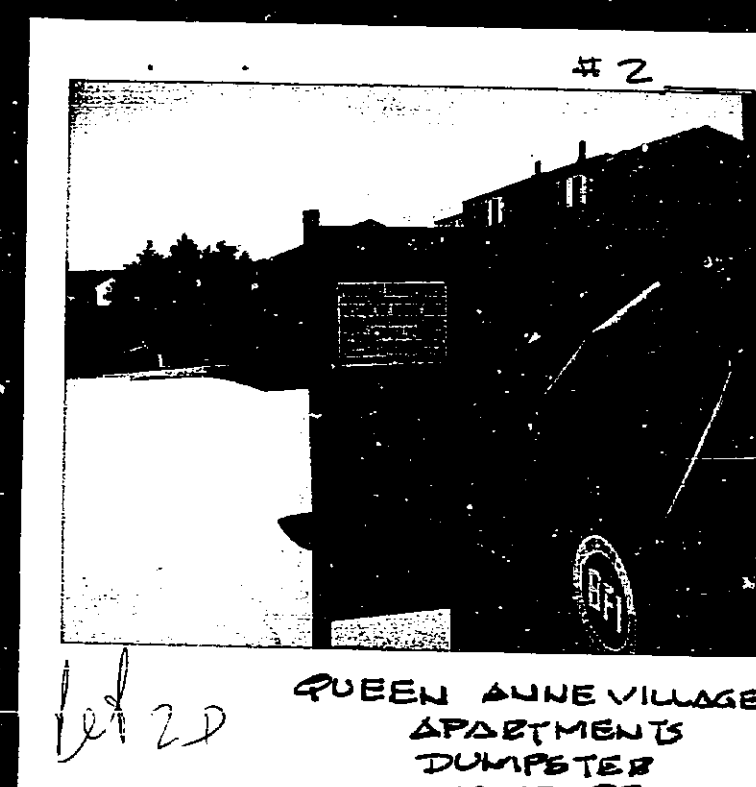
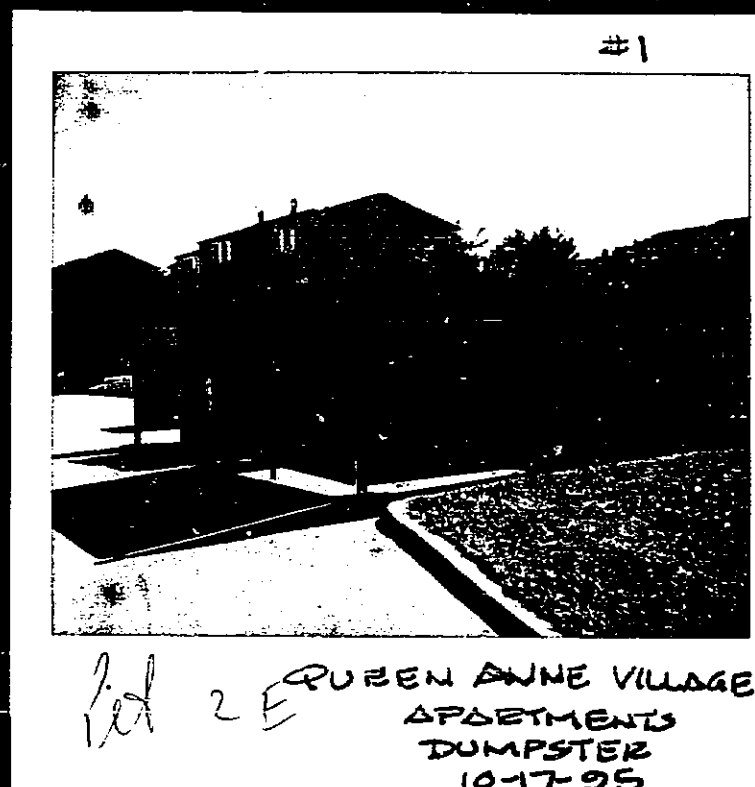
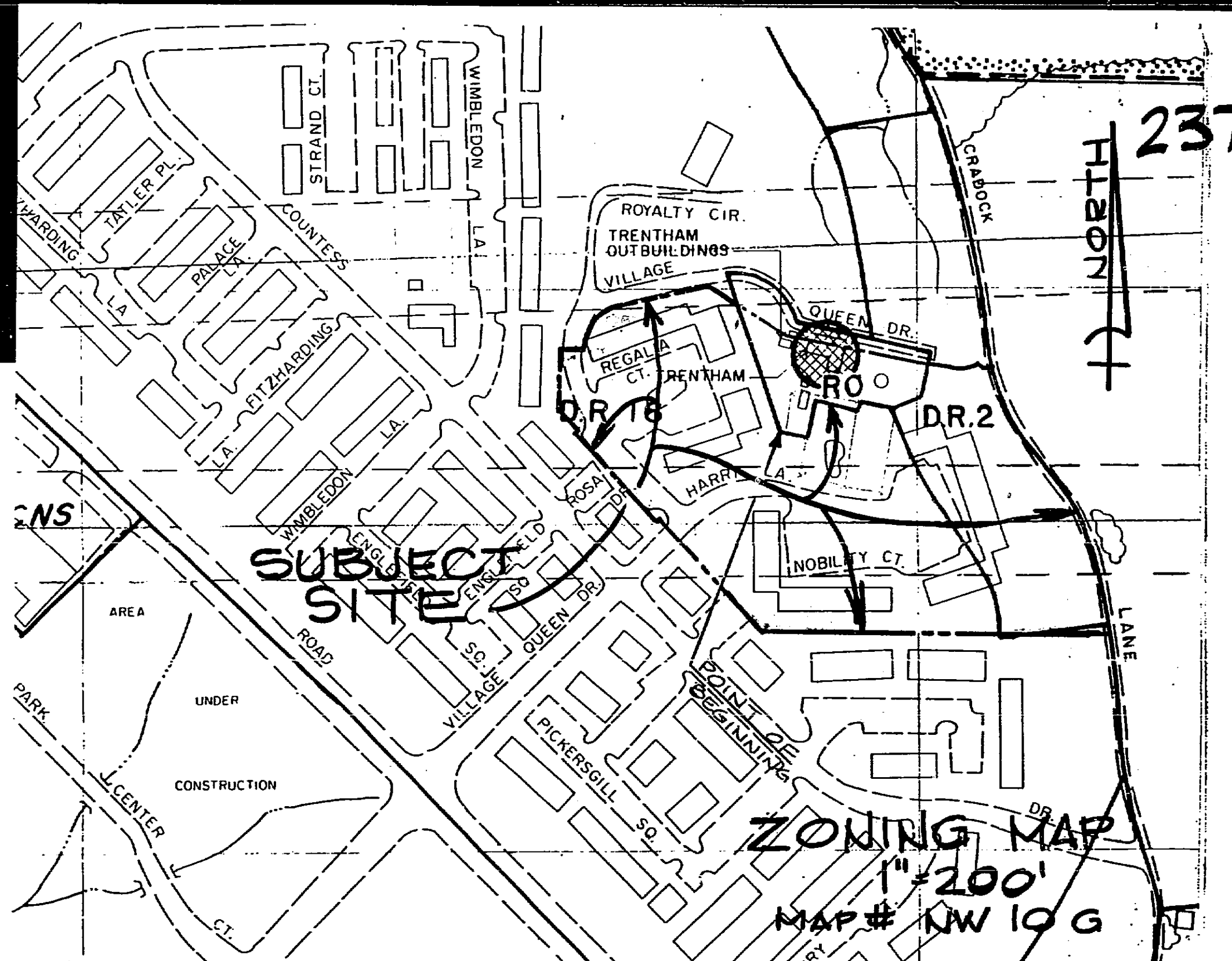
PROTESTANT(S) SIGN-IN SHEET

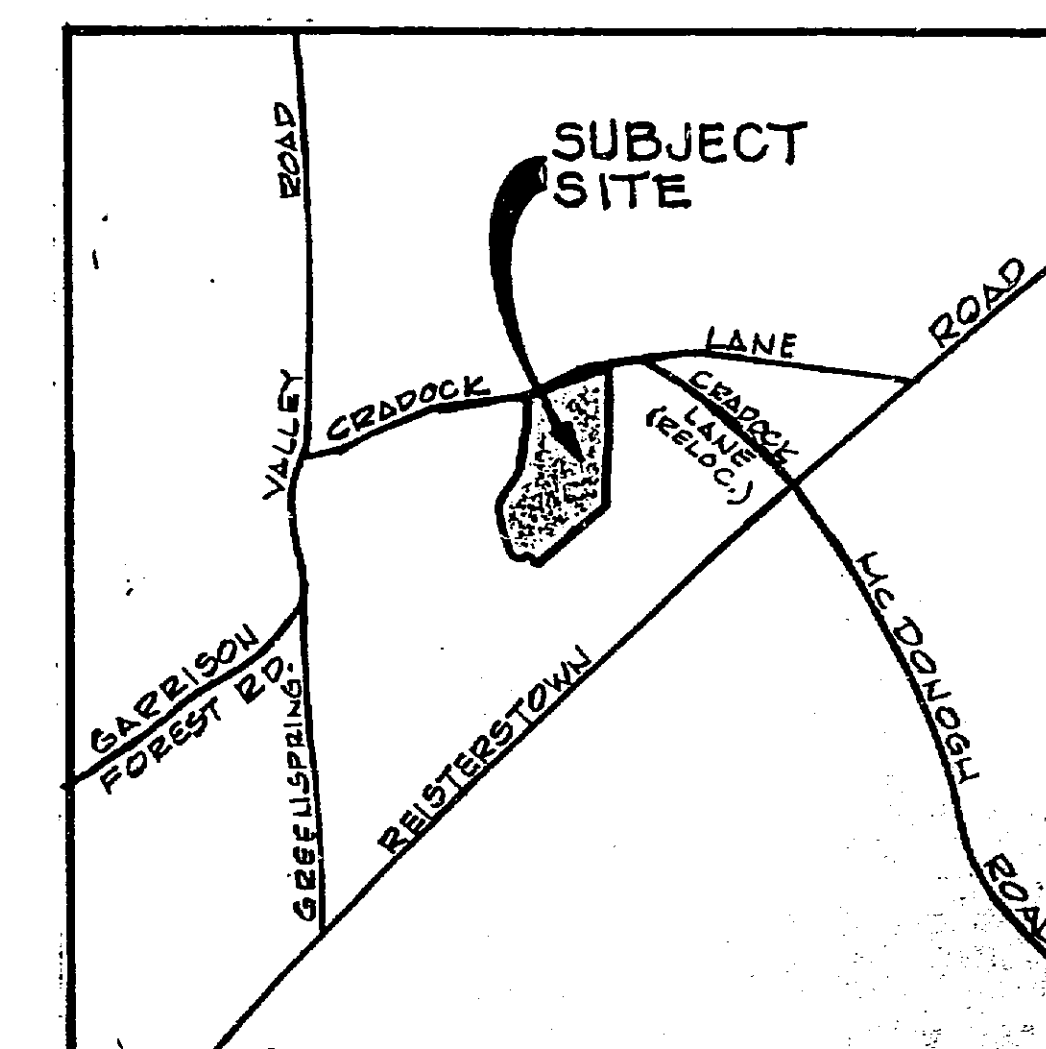
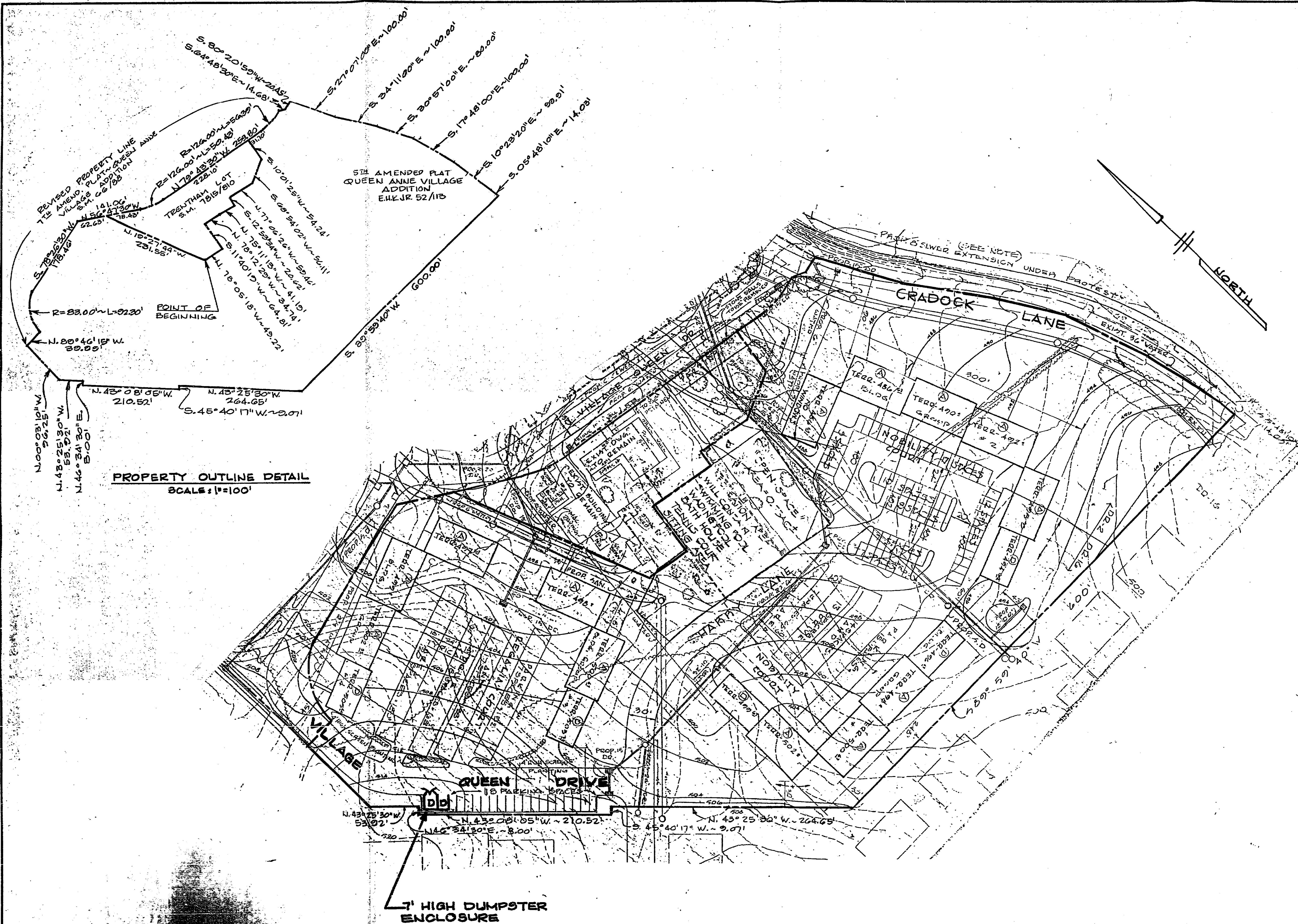
NAME	ADDRESS
<i>Steve Moggi (Moggi)</i>	<i>9311 Courtess Dr.</i>
<i>Don Conti (Conti)</i>	<i>105 W Chesapeake Towson Md</i>

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
<i>MICHAEL E. MARINO</i>	<i>609 BOSLEY AVENUE</i>
<i>ATTORNEY FOR PETITIONER</i>	<i>TOWSON, MD. 21204</i>
<i>THOMAS A. CHURCH</i>	<i>6603 YORK ROAD</i>
	<i>BALTIMORE MD 21212</i>
<i>ANTHONY J. MIERZEMSKI</i>	<i>920 PROVIDENCE RD</i>
<i>DECHIARO PROPERTIES</i>	<i>Suite 400</i>
	<i>BALTIMORE MD 21286</i>





VICINITY MAP
SCALE: 1" = 1000'

LOCATION INFORMATION

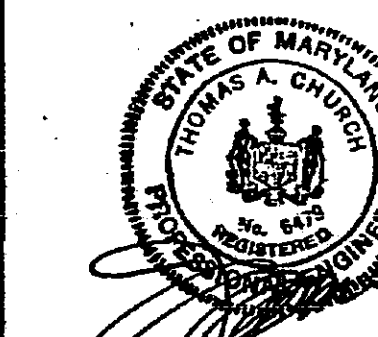
ELECTION DISTRICT: 3
COUNCILMANIC DISTRICT: 2
1" = 200' SCALE MAP: NW 10 G
ZONING: DR-1G & DR-2
LOT SIZE: 0.23 AC± } GROSS
402,050 S.F. } TRACT AREA

PUBLIC PRIVATE
SEWER ☐ ☒
WATER ☐ ☒
CHESAPEAKE BAY CRITICAL AREA ☐ ☒
PRIOR ZONING HEARINGS: ☐ ☒

ZONING OFFICE USE ONLY!
REVIEWED BY: ITEM # CASE #

237

Ref No 1



Survey: L & S Check: T.A.G. Date: Revision: ATTORNEY: 	DEVELOPMENT ENGINEERING CONSULTANTS, INC. 6403 ... 	OWNER: DE CHIARO PROPERTIES 220 PROVIDENCE ROAD, SUITE 400 BALTIMORE, MARYLAND 21286 	PLAT TO ACCOMPANY SPECIAL HEARING FOR QUEEN ANNE VILLAGE APARTMENTS 383 ELECTION DISTRICT ... 	SHEET 1 OF 1 DATE 11-15-95 SCALE 1" = 50' CONTRACT NUMBER 95-145
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